

Application No. 10/714,886
Amendment dated April 27, 2006
Reply to Office Action of February 27, 2006

Docket No.: 0698-0167PUS1

REMARKS

Claims 1-11 are now present in this application.

The specification and claims 1, 3, 7 and 9 have been amended. Reconsideration of the application, as amended, is respectfully requested.

Claims 3 and 9 are objected to because of an informality. These claims have now been amended and it is requested that this objection now be withdrawn.

Claims 1-2, 4-8 and 10-11 are rejected under 35 UCS 102(b) as being anticipated by US Patent 5,815,652 to Ote. This rejection is respectfully traversed.

Claims 3 and 9 stand rejected under 35 USC 103 as being unpatentable over Ote in view of the Admitted Prior Art. This rejection is respectfully traversed.

Claim 1 of the present application recited a server management method which includes various steps. One step is the receiving of scheduling information sent by the user via the network communication system and programming the scheduling information to an operating system of the network server. This arrangement is discussed on page 6, line 10-12 of the present specification, for example.

Independent claim 7 recites a server management system which includes a management program module. This module receives scheduling information sent by the user via the network communications and programs the scheduling information to an operating system of the network server. This arrangement is also discussed on page 6, line 10-12 of the present specification, for example.

Referring to page 6, lines 10-14 of the specification, the management program module 102 is used to receive the scheduling information sent by the user via the network

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communication system 200 and to program the scheduling information to the operating system. The scheduling command is used to power-on, power-off, re-start or perform data backup of the storage server 120. In other words, the server system does not control the storage server 120 to operate until the management program module 102 receives the scheduling information and programs the scheduling information to the operating system.

In the patent to Ote, a computer management system is disclosed. In Fig. 23A and in column 12, lines 49-58, the automatic operation schedule setting means 24121 of the manager causes the user to set the automatic operation schedule of the computer 10 to be managed through the graphic user interface such as a calendar and sends the automatic operation schedule information to the schedule management means 1721 of the agent 17. When the automatic schedule management means 1721 receives the schedule information, it stores it in the disk and automatically operates the computer 10 to be managed in accordance with the schedule information.

From this discussion, it is evident that the Ote patent teaches that the computer 10 operates directly in accordance with the schedule information, rather than the computer 10 does not operate until programming the scheduling information to the operating system as recited in the amended claims 1 and 7.

The Examiner has relied on the Admitted Prior Art for the rejections of claims 3 and 9. However, this teaching does not overcome the noted deficiency of the Ote patent. Nowhere in the utilized prior art is the server management method and system of independent claims 1 and 7 as well as their dependent claims either suggested or rendered obvious. As such the 35 USC 102(b) and 103 rejections should therefore be reconsidered and withdrawn.

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Because the additional prior art cited by the Examiner has been included merely to show the state of the prior art and has not been utilized to reject the claims, no further comments concerning these documents are considered necessary at this time.

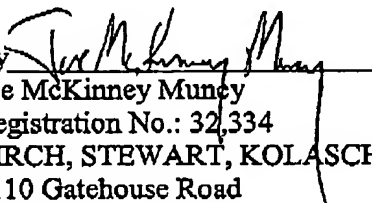
In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 should be charged to deposit account 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 30, 2006
Tuesday after a Federal Holiday

Respectfully submitted,

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